

**IDAHO CONTRACTORS BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 8/7/2012**

**BOARD MEMBERS PRESENT:** Steve Pinther - Chair  
Larren D Novak  
Timothy R Timmins  
John Robert Pilote  
Pamela Prather

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Erin Anderson, TRS I  
Tyler Williams, Naylor & Hales  
Eric Nelson, Board Prosecutor

**OTHERS PRESENT:** Eric Clark, applicant

The meeting was called to order at 8:30 AM MDT by Steve Pinther.

**AGENDA**

A motion was made by Mr. Pilote to accept the agenda as posted. It was seconded by Mr. Novak. Motion carried.

**APPROVAL OF MINUTES**

Mr. Novak made a motion to approve the minutes of 7/10/12. It was seconded by Mr. Timmins. Motion carried.

**EXECUTIVE SESSION**

A motion was made by Mr. Pilote that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Novak. The vote was: Mr. Pinther, aye; Mr. Timmins, aye; Mr. Pilote, aye; Mr. Novak, aye; and Ms. Prather, aye. Motion carried.

It was moved by Mr. Novak to come out of executive session. It was seconded by Mr. Timmins. The vote was: Mr. Pinther, aye; Mr. Timmins, aye; Mr. Pilote, aye; Mr. Novak, aye; and Ms. Prather, aye. Motion carried.

## **APPLICATIONS**

It was moved by Ms. Prather to deny the following for registration per Idaho Code 54-5210 and 54-5215:

Eric Clark, Clarks Concrete

It was seconded by Mr. Novak. Motion carried.

## **LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that there are no legislative updates and that there will be 29 boards sharing the cost of the new licensing system.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$324,434.14 as of 7/31/2012. Ms. Hall presented the 2013 fiscal year contract to the Board. The budget is \$854,550.00. This includes the Board's share of the new licensing system. Discussion was held by the Board over projected operating costs and a possible negative cash balance at the end of the 2013 fiscal year. It was noted the deadline for any law or rule changes is 8/21/2012 and perhaps a fee increase should be discussed. Mr. Timmins made a motion to accept the contract and authorize the Chair to sign. It was seconded by Mr. Novak. Motion carried.

## **FOR BOARD DETERMINATION**

Mr. Nelson presented memorandums. The following motions were made:

CON-2011-65, CON-2011-77, and CON-2009-58: A motion was made by Mr. Pilote to close this case. It was seconded by Mr. Timmins. Motion carried.

CON-2010-28, CON-2010-55, and CON-2010-31: A motion was made by Mr. Pilote to close this case. It was seconded by Mr. Novak. Motion carried.

CON-2011-66, CON-2009-62, and CON-2011-92: A motion was made by Ms. Prather to close this case. It was seconded by Mr. Timmins. Motion carried.

CON-2011-75 and CON-2010-85: A motion was made by Mr. Pilote to close this case. It was seconded by Ms. Prather. Motion carried.

CON-2010-38, CON-2010-41, CON-2009-65, CON-207-141, CON-2009-64, CON-2010-53, CON-2012-5, CON-2010-21 and CON-2012-23: A motion was

made by Mr. Novak to close this case. It was seconded by Ms. Prather. Motion carried.

CON-2011-16, CON-2010-32, and CON-2011-78: A motion was made by Ms. Prather to close this case. It was seconded by Mr. Pilote. Motion carried.

CON-2012-28: A motion was made by Mr. Novak to close this case. It was seconded by Mr. Timmins. Motion carried.

CON-2011-83, CON-2012-12 and CON-2009-49: A motion was made by Mr. Timmins to close this case. It was seconded by Ms. Prather. Motion carried.

CON-2010-91: A motion was made by Ms. Prather to close this case. It was seconded by Mr. Novak. Motion carried.

CON-2011-73, CON-2011-56 and CON-2011-25: Mr. Nelson determined that he was still working on these cases and would present to the Board at a later date.

CON-2012-75: A motion was made by Mr. Pilote to emergency suspend this registration. It was seconded by Mr. Novak. Motion carried.

CON-2011-35, CON-2011-47, CON-2012-55 and CON-2012-70: A motion was made by Mr. Pilote to approve these Stipulation and Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Timmins. Motion carried.

CON-2008-160, CON-2009-46, CON-2008-165, CON-2009-53, CON-2009-68, CON-2010-20, CON-2010-90, CON-2011-1, CON-2011-51, CON-2011-64, CON-2011-74 and CON-2012-27: A motion was made by Mr. Pilote to approve the Finding of Fact, Conclusions of Law and Final Orders and authorize the Chair to sign. It was seconded by Mr. Novak. Motion carried.

### **INVESTIGATIVE REPORT**

Ms. Peel presented the investigative report.

I-CON-2012-134, I-CON2012-170, I-CON-2012-112, I-CON-2012-118, I-CON-2012-119, I-CON-2012-122, I-CON-2012-125 I-CON-2012-131, I-CON-2012-135, I-CON-2012-136, I-CON-2012-143, I-CON-2012-151, I-CON-2012-164, I-CON-2012-167, I-CON-2012-100, I-CON-2012-107, I-CON-2012-126, I-CON-2012-149, I-CON-2012-152, I-CON-2012-162, I-CON-2012-165, I-CON-2012-166, I-CON-2012-168, I-CON-2012-169, I-CON-2012-115, I-CON-2012-129 and I-CON-2013-2: A motion was made by Ms. Prather to close all listed insurance cases. It was seconded by Mr. Novak. Motion carried.

I-CON-2010-277, I-CON-2010-314, I-CON-2010-324, I-CON-2012-14, I-CON-2012-15, I-CON-2012-22, I-CON-2012-38, I-CON-2012-60, I-CON-2012-81, I-CON-2012-103 and I-CON-2012-80: A motion was made by Ms. Prather to close all listed cases. It was seconded by Mr. Pilote. Motion carried.

## **AGENDA**

A motion was made by Ms. Prather to amend the agenda to include discussion of a fee increase. It was not on the agenda due to it coming up in the financial report. It was seconded by Mr. Pilote. Motion carried.

## **NEW BUSINESS**

A motion was made by Mr. Timmins to submit a proposed fee increase of \$5.00 for the application fee and a \$5.00 increase to the renewal fee. It was seconded by Ms. Prather. Motion carried. The Chair is to also contact Mr. Jeremy Pisca and the Association.

## **NASCLA**

A motion was made by Mr. Novak for Mr. Pinther and one other person to attend the National Association of State Contractors Licensing Agencies annual conference in Bend, Oregon. It was seconded by Ms. Prather. Motion carried.

The Board reviewed the Public Service Announcement videos that are offered by NASCLA. To add the Board and Bureau's contact information to the video, Ms. Anderson was given a \$150.00 estimate from NASCLA. Mr. Pinther thought that NASCLA may also be able to remove the word license in the PSA's so the videos were accurate to the State of Idaho's registration requirement. Mr. Pinther is to check with NASCLA. Ms. Cory mentioned that she would have to inquire if the Idaho state seal could be added to these commercials, if the Board chose to order them for airing in Idaho.

## **OTHER**

Mr. Pinther is to personally deliver a Board service plaque to Mr. Hughes.

## **EXECUTIVE SESSION**

A motion was made by Mr. Pilote that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Novak. The vote was: Mr. Pinther, aye; Mr. Timmins, aye; Mr. Pilote, aye; Mr. Novak, aye; and Ms. Prather, aye. Motion carried.

It was moved by Mr. Pilote to come out of executive session. It was seconded by Mr. Novak. The vote was: Mr. Pinther, aye; Mr. Timmins, aye; Mr. Pilote, aye; Mr. Novak, aye; and Ms. Prather, aye. Motion carried.

## **APPLICATIONS**

It was moved by Ms. Prather to approve the following for registration:

RCE-33827 Xlent Cabling Solutions LLC  
RCE-33882 Hawk Inc.  
RCT-33847 David Burchell

It was seconded by Mr. Timmins. Motion carried.

It was moved by Mr. Pilote to approve registration once the workers compensation requirement has been met:

# 901122534

It was seconded by Mr. Novak. Motion carried.

It was moved by Ms. Prather to deny the following application for registration per Idaho Code 54-5215 and 54-5216:

Matthew Sommer

It was seconded by Mr. Novak. Motion carried.

**NEXT MEETING** was scheduled for 9/18/2012.

These dates were scheduled for future meeting dates:

10/10/2012 8:30 AM Face-to-face meeting  
11/13/2012 10:00 AM Conference Call  
12/11/2012 10:00 AM Conference Call

## **ADJOURNMENT**

It was moved by Mr. Timmins to adjourn the meeting at 1:15 PM. It was seconded by Mr. Novak. Motion carried.

---

Steve Pinther, Chair

---

Larren D Novak

---

Timothy R Timmins

---

John Robert Pilote

---

Pamela Prather

---

Tana Cory, Bureau Chief